

1 **REPEAL OF PRISONER DEMANDS FOR**
2 **DISPOSITION**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: Scott L Wyatt

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Code of Criminal Procedure by repealing provisions that allow
11 defendants serving a term of imprisonment to demand a trial setting on a new offense
12 within a shorter period of time than would apply to other criminal defendants.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ deletes provisions that:

16 • allow a defendant who is serving a sentence of imprisonment and is charged
17 with another crime to demand that the new charge be brought to trial within 120
18 days of the demand for a trial; and

19 • allow dismissal of the new charge if the defendant is not brought to trial on the
20 new charge within the 120 days; and

21 ▶ does not amend provisions that apply generally to ensuring a timely trial for
22 defendants charged with criminal offenses.

23 **Monies Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 This bill provides an immediate effective date.

27 **Utah Code Sections Affected:**



28 REPEALS:

29 77-29-1, as enacted by Chapter 15, Laws of Utah 1980

30 77-29-2, as enacted by Chapter 15, Laws of Utah 1980

31 77-29-4, as enacted by Chapter 15, Laws of Utah 1980

32

33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. **Repealer.**

35 This bill repeals:

36 Section **77-29-1, Prisoner's demand for disposition of pending charge -- Duties of**
37 **custodial officer -- Continuance may be granted -- Dismissal of charge for failure to bring**
38 **to trial.**

39 Section **77-29-2, Duty of custodial officer to inform prisoner of untried indictments**
40 **or informations.**

41 Section **77-29-4, Escape of prisoner voids demand.**

42 Section 2. **Effective date.**

43 If approved by two-thirds of all the members elected to each house, this bill takes effect
44 upon approval by the governor, or the day following the constitutional time limit of Utah
45 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
46 the date of veto override.

Legislative Review Note
as of 1-11-07 12:48 PM

Office of Legislative Research and General Counsel

S.B. 125 - Repeal of Prisoner Demands for Disposition

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/19/2007, 12:09:02 PM, Lead Analyst: Byrne, D.

Office of the Legislative Fiscal Analyst